

**MINUTES OF THE
STATE ELECTIONS ENFORCEMENT COMMISSION
SPECIAL MEETING
September 20, 2006**

I. Call to Order

Chairman Cashman called the meeting to order at 9:05 A.M. Commissioners Jenkins, Cleary and Dolan were present. Staff members present were Messrs. Garfield, Lenge, Ms. Andrews, Mr. Ly, Ms. Kulmacz and Ms. Blackburn.

II. Approval of the Minutes

Approval of the Minutes of the August 16, 2006 Special Meeting

It was moved by Commissioner Cleary and seconded by Commissioner Jenkins to approve the minutes of the August 16, 2006 special meeting. So voted.

III. Consideration of Hearing Officer's Report

In the Matter of Referral by the Office of the Secretary of the State
File No. 2005-312CNF

Respondent:	Michael Singh
Case Presenter for State:	Albert P. Lenge
Hearing Officer:	Jeffrey B. Garfield

Mr. Garfield stated that he received an e-mail this morning from Mr. Singh requesting a continuance of the Commission's consideration of the Hearing Officers' report. Attorney Lenge objected to the continuance and Mr. Garfield also objected. The Commission denied the continuance.

It was moved by Commissioner Jenkins and seconded by Commissioner Dolan to adopt the Hearing Officer's Report in File No. 2005-312CNF as a Final Decision. So voted. A copy of the Final Decision is attached and incorporated herein as part of these minutes. A copy of the Final Decision will be mailed to Mr. Singh following today's meeting. Mr. Singh has been ordered to pay a civil penalty of \$750 to this Commission within thirty days of the adoption of the report as a final decision.

IV. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Susan Kniep, East Hartford
File No. 2005-304
Proposed Findings and Conclusions
Investigator: Attorney Joan M. Andrews
Managing Attorney: Albert P. Lenge

Mr. Lenge explained the above referenced complaint and the proposed Findings and Conclusions recommending the matter be dismissed.

It was moved by Commissioner Jenkins and seconded by Commissioner Dolan to adopt the proposed Findings and Conclusions in File No. 2005-304. So voted. The matter is dismissed for the reasons stated. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

2. In the Matter of a Complaint by Paul F. Roy, Seymour
File No. 2006-101
Proposed Consent Agreement and Order or Reason to Believe Findings
Respondent: Dianne Lombardi
Investigator: Attorney Joan M. Andrews, Audit Support: Hy Ly
Managing Attorney: Albert P. Lenge

Attorney Andrews stated that Attorney Bob Shea is present today to request a continuance on behalf of the Respondent. Attorney Shea will be representing Ms. Lombardi and Attorney Andrews agrees to a continuance. The Commission granted the continuance.

3. In the Matter of a Complaint by Nancy Rossi, West Haven
File No. 2006-109
Proposed Consent Agreement and Order or Reason to Believe Findings
Respondent: Laurence Czajkowski
Investigator: Attorney Joan M. Andrews
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield requested that the above referenced matter be continued. Respondent has retained counsel. The Commission agreed to table the matter.

4. In the Matter of Complaint by Shirley Surgeon and Joseph W. DeLorenzo,
Registrars of Voters, Hartford
File Nos. 2006-111 & 2006-112
Proposed Consent Agreement and Order
Respondent: Jane Russell
Investigator: Attorney William B. Smith
Managing Attorney: Albert P. Lenge

Mr. Lenge explained the above referenced complaint. The Respondent has signed the proposed Consent Agreement and Order and the civil penalty of \$250 has been received.

It was moved by Commissioner Dolan and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order in File Nos. 2006-111 and 2006-112. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

5. In the Matter of a Complaint by John F. Scott IV, Groton
File No. 2006-150
Proposed Consent Agreements and Orders
Respondents: Wil Langdon & Michael Gothie
Investigator: Attorney Marc W. Crayton
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield informed the Commission that the Respondents have not responded to Attorney Crayton as yet and he has requested the matter be continued. The Commission agreed to table the matter.

- 5-a. In the Matter of a Complaint by Victoria Harlow, Haddam Registrar of Voters
File No. 2006-167
Proposed Consent Agreement and Order
Respondent: Gary S. Mala
Investigator: Attorney Marc W. Crayton
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield explained the above referenced complaint. There were two separate allegations in the complaint. The Commission adopted Findings and Conclusions with regard to the allegation that there was a violation of CGS 9-333x(3), potential vote buying. That matter was dismissed at the August 16, 2006 meeting. With regard to the seconded allegation, Respondent Gary Mala, Superintendent of Schools, has signed the proposed Consent Agreement and Henceforth Order reprimanding him for violating CGS 9-236, by entering the polling place for an unauthorized purpose.

It was moved by Commissioner Jenkins and seconded by Commissioner Dolan to adopt the proposed Consent Agreement and Order in File No. 2006-167. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

6. In the Matter of a Complaint by Stacey Olivieri, Colchester
File No. 2006-195
Proposed Findings and Conclusions
Investigator: Attorney Marc W. Crayton
Managing Attorney: Albert P. Lenge

Mr. Garfield explained the above referenced complaint and proposed Findings and Conclusions recommending the matter be dismissed.

It was moved by Commissioner Dolan and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2006-195. So voted. The matter is dismissed for the reasons stated. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

7. In the Matter of a Complaint by Irving N. Steiner, Shelton
File No. 2006-196
Proposed Findings and Conclusions
Investigator: Attorney William B. Smith
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield explained the above referenced complaint and proposed Findings and Conclusions recommending the matter be dismissed. Commissioner Cleary noted that the name of the town is incorrect on the first page.

It was moved by Commissioner Cleary and seconded by Commissioner Dolan to adopt the proposed Findings and Conclusions in File No. 2006-196 as amended. So voted. The matter is dismissed for the reasons stated. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

8. In the Matter of a Complaint by Galen W. Wells, Norwalk
File No. 2006-197
Proposed Findings and Conclusions
Investigator: Attorney Marc W. Crayton
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield explained the above referenced complaint and proposed Findings and Conclusions recommending the matter be dismissed for insufficient evidence. The Commission reserved the right to reopen if further evidence is found.

It was moved by Commissioner Dolan and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2006-197. So voted. The complaint is dismissed for the reasons stated. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

9. In the Matter of a Complaint by Douglas Hagemen, Southington
File No. 2006-198
Proposed Findings and Conclusions
Investigator: Attorney Joan M. Andrews
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield explained the above referenced complaint and proposed Findings and Conclusions recommending the matter be dismissed.

It was moved by Commissioner Cleary and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2006-198.

So voted. The complaint is dismissed for the reasons stated. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

10. In the Matter of Complaints by Christopher Cooney, Stamford
File Nos. 2006-200 & 2006-201
Request to Withdraw Complaints
Investigator: Attorney Joan M. Andrews
Managing Attorney: Albert P. Lenge

Mr. Lenge informed the Commission that the Complainant in the above referenced matter has requested that his complaints be withdrawn. There was no objection, and the Commission accepted the Complainant's request to withdraw complaint Nos. 2006-200 and 2006-201.

B. Executive Session per C.G.S. 1-200(6)(B) and (E), and 1-210(b)(3) and (4)

It was moved by Commissioner Jenkins and seconded by Commissioner Dolan at 9:32 A.M. to proceed into Executive Session pursuant to C.G.S. 1-200(6)(B) and (E), and 1-210(b)(3) and (4) to discuss strategy and negotiations with respect to pending claims and exempt records relating thereto, listed as Items 11 to 13 on the agenda. So voted. Present were Commissioners Cashman, Cleary, Jenkins and Dolan. Staff members present were Messrs. Garfield, Lenge, Ly, Ms. Andrews, Ms. Kulmacz, Ms. Haqq and Ms. Blackburn.

It was moved by Commissioner Dolan and seconded by Commissioner Jenkins to return to public session at 9:43 A.M.

The Commission returned to Public Session and took the following action:

11. In the Matter of a Complaint by Lois Clough, Winsted
File No. 2006-128
Investigator: Accounts Examiner Dara Haqq
Managing Attorney: Jeffrey B. Garfield

This matter was continued.

12. In the Matter of a Complaint by Frank DeJesus, Hartford
File No. 2006-193
Investigator: Attorney William B. Smith
Managing Attorney: Albert P. Lenge

This matter was continued.

13. In the Matter of a Complaint by Frank B. Hall, Essex
File No. 2006-199
Investigator: Attorney William B. Smith
Managing Attorney: Albert P. Lenge

This matter was continued.

V. *Find Reason to Believe Recommendations & Designation of Hearing Officer Referrals by the Office of the Secretary of the State*

File No. 2006-157NF

Coalition of Concerned Citizens for Local Control of Schools

Respondent: Joi Reiner Gallo, Treasurer

Investigator: Paralegal Paige Adams

Managing Attorney: Albert P. Lenge

Recommendation: Find Reason to Believe that Respondent Jo Reiner Gallo violated Connecticut General Statutes §§9-333j and 9-333y.

File No. 2006-175NF

20th District Council

Respondent: Edward Jones, Treasurer

Investigator: Paralegal Paige Adams

Managing Attorney: Albert P. Lenge

Recommendation: Find Reason to Believe that Respondent Edward Jones violated Connecticut General Statutes §§9-333j and 9-333y.

File No. 2006-176NF

Coalition of Concerned Citizens for Local Control of Schools

Respondent: Joi Reiner Gallo, Treasurer

Investigator: Paralegal Paige Adams

Managing Attorney: Albert P. Lenge

Recommendation: Find Reason to Believe that Respondent Jo Reiner Gallo violated Connecticut General Statutes §§9-333j and 9-333y.

File No. 2006-178NF

CT Young Republicans 4th Congressional District

Respondent: Alexis Harrison, Treasurer

Investigator: Paralegal Paige Adams

Managing Attorney: Albert P. Lenge

Recommendation: Find Reason to Believe that Respondent Alexis Harrison violated Connecticut General Statutes §§9-333j and 9-333y.

File No. 2006-244NF

First District Republicans

Respondent: John Florek, Treasurer

Investigator: Attorney William B. Smith

Managing Attorney: Jeffrey B. Garfield

Recommendation: Find Reason to Believe that Respondent John Florek violated Connecticut General Statutes §§9-333j and 9-333y.

File No. 2006-245NF

Freedom PAC

Respondent: James Conroy, Treasurer

Investigator: Attorney William B. Smith

Managing Attorney: Jeffrey B. Garfield

Recommendation: Find Reason to Believe that Respondent James Conroy violated Connecticut General Statutes §§9-333j and 9-333y.

File No. 2006-253NF

Republican National Hispanic Assembly

Respondent: Juan Montalvo, Treasurer

Investigator: Attorney William B. Smith

Managing Attorney: Albert P. Lenge

Recommendation: Find Reason to Believe that Respondent Juan Montalvo violated Connecticut General Statutes §§9-333j and 9-333y.

Compliance has been reached with Respondent Juan Montalvo. He has filed the late report and has paid a civil penalty of \$200 for compliance.

File No. 2006-261NF

Working Families Campaign Committee

Respondent: Steve Burdo, Treasurer

Investigator: Attorney William B. Smith

Managing Attorney: Albert P. Lenge

Recommendation: Find Reason to Believe that Respondent Steve Burdo violated Connecticut General Statutes §§9-333j and 9-333y.

It was moved by Commissioner Jenkins and seconded by Commissioner Dolan that the Commission finds reason to believe that the Respondents referenced in File Nos. 2006-157NF, 2006-175NF, 2006-176NF, 2006-178NF, 2006-244NF, 2006-245NF and 2006-261NF violated §§9-333j and 9-333y of the Connecticut General Statutes and that a hearing officer be designated for the purpose of conducting hearings for these matters. So voted.

Chairman Cashman designated Mr. Garfield to Hearing Officer for File Nos. 2006-157NF and 176NF combined, File No. 2006-175NF, File No. 2006-178NF, and File No. 2006-261NF. Mr. Lenge was designated as Hearing Officer for File Nos. 2006-244NF and 2006-245NF.

VI. *Executive Session to Discuss Strategy and Negotiations with Respect to Connecticut Lobbying Association v. Jeffrey B. Garfield*

It was moved by Commissioner Cleary and seconded by Commissioner Dolan at 9:45 A.M. to proceed into Executive Session pursuant to C.G.S. 1-200(6)(B) and (E), and 1-210(b)(3) and (4) to discuss strategy and negotiations with respect to the lawsuit filed by the Connecticut Lobbying Association challenging the constitutionality of the lobbyist contribution and solicitation bans enacted by the General Assembly in PA 05-5. So voted. Present were Commissioners Cashman, Cleary, Jenkins and Dolan. Staff members present were Messrs. Garfield, Lenge, Ly, Ms. Andrews, Ms. Kulmacz, Ms. Haqq and Ms. Blackburn.

It was moved by Commissioner Dolan and seconded by Commissioner Cleary to return to public session at 10:45 A.M.

VII. Consideration of Initiation of Declaratory Rulings on State Contractor Ban and Lobbyist Contribution ban

Mr. Garfield stated that he would recommend that the Commission act pursuant to C.G.S. 4-176 and the Regulations of Connecticut State Agencies to initiate proceedings for the consideration of two separate declaratory rulings: One proceeding will be concerning the application of the ban on solicitation and making of contributions by state contractors. The second proceeding will be concerning the application of the ban on the solicitation and making of contributions by communicator lobbyist, also in PA 05-5 as amended by PA 06-137. The purpose would be to set forth with formality, the Commission's interpretation of the application of the statutes to specified circumstances. If adopted, the rulings would legally bind the Commission in its enforcement of the statutes. There have been many questions on the application of these provisions of the law and it would be helpful to the public and to those who have to comply to have the Commission's binding interpretation.

Chairman Cashman asked the staff to prepare preliminary drafts for the Commission's review and for the public to comment before final adoption.

It was moved by Commissioner Jenkins and seconded by Commissioner Cleary that the Commission initiate a declaratory ruling as to the applicability of C.G.S. §9-333l(h) and 9-333l(i), as amended by PA 05-5, as well as a declaratory ruling as to the applicability of C.G.S. §§9-333n(g),and (h), as amended by PA05-5. So voted.

VIII. Consideration of the Proposed Ordinance of the City of New Haven To Participate in Public Financing Pilot Program

Mr. Garfield stated that the President of the New Haven Board of Alderman, Carl Goldfield, has requested a continuance of this matter until the next meeting. He is unable to attend today's meeting. He would like to be present to respond to the Commission's questions and comments. Mr. Garfield supported his request for a continuance. The Commission agreed to continue the matter to the next meeting, October 25, 2006.

IX. Administrative Report

Mr. Garfield began his report by stating that a Director of Public Campaign Financing has been hired. Her name is Beth Rotman. She is an Attorney from the New York City Campaign Finance Board, and has unique experience in the enforcement of the Public financing program in effect in New York City. She will be starting next week to begin the implementation of the new public financing program. He also announced the promotion of Attorney Joan Andrews as the new Director of Legal Affairs and Enforcement. She has been with SEEC for 10 years and he congratulated her in her new capacity as part of the management team. Joan has assumed responsibility for management of the investigations and cases.

Mr. Garfield informed the Commissioners that the new biennial budget (FY 08, 09) request has been submitted to OPM. The budget request will allow the Commission to implement the new legislation and will help establish a new legal compliance unit which

will include a Director, two staff attorneys and a paralegal. He thanked Brian Clonan and Mann Hazen for their efforts in assisting him with the preparation of the budget request.

IT Staff members Brian Clonan, Mann Hazen and Amjad Mahmood joined the meeting at this time to update the Commission on their progress. Mr. Garfield thanked Brenda Lou Mathieu, Hy Ly and others for all of their efforts. Dianna and Dara have been very helpful to develop business rules and have all given great team effort towards implementation of the legislation. Mr. Garfield especially thanked Mr. Lenge who has led the projects involved in the plan.

Mr. Clonan briefly summarized the progress in the IT department saying that each individual in the IT team specializes in an area to accomplish the new applications that were mandated with the enactment of the comprehensive campaign finance reform.

Mr. Hazen and Mr. Mahmood briefly spoke on the specifics of their projects and their progress to get the new systems and data base up and running.

X. *Adjournment*

It was moved by Commissioner Dolan and seconded by Commissioner Cleary to adjourn the meeting at 11:15 A.M. So voted.

Unless otherwise indicated, all votes of the Commission were unanimous.

The regularly scheduled October 4th meeting has been cancelled.
The next regular meeting is scheduled for October 25, 2006 at 9:00 A.M.

Respectfully submitted,

Lois E. Blackburn
Clerk of the Commission

Adopted this 25th day of October, 2006, at Hartford, Connecticut

Stephen F. Cashman
By Order of the Commission